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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Mikio AOKI et al.

Group Art Unit: 3624

Application No.: 09/892,887

Examiner: R. Weisberger

Filed: June 28, 2001

Docket No.: 109953

For: DATA OUTPUT CONTROL APPARATUS

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the August 25, 2006 Notice of Non-Compliant Amendment, Applicants request that the Notice be withdrawn because it was issued in error.

Applicants received a Notice of Non-Compliant Amendment mailed on August 25, 2006, which alleges that an Amendment was filed in this application on June 13, 2006 without a complete listing of the claims. The Notice also references a Declaration.

The Notice is not correct because Applicants did not file an Amendment or a Declaration on June 13, 2006 in this application. Applicant's last filing was a Petition to Withdraw from Issue, a Request for Continued Examination (RCE), and an Information Disclosure Statement (IDS) filed on May 31, 2006. Applicants have verified that the electronic file wrapper reflects these filings.

Prompt attention to the filed Petition to Withdraw from Issue, RCE and IDS is hereby requested.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jonathan H. Backenstose
Registration No. 47,399

JAO:JHB/tbm

Date: September 20, 2006

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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